



**Australian Government**  
**Department of Industry, Science,  
Energy and Resources**

Senator the Hon James Paterson  
Acting Chair  
Senate Economics Legislation Committee  
Parliament House  
CANBERRA ACT 2600

Dear Senator Paterson

On reviewing the Proof Hansard of the testimony given by the department at the Senate Estimates hearing on 29 October 2020, I find that some of the information provided to the Committee would benefit from clarification and correction.

The following exchanges occurred between Senator Rex Patrick and myself.

**Senator PATRICK:** Can you not see the irony in Woodside having handed off this problem? They have no liability for a platform that they used for a number of years—in effect, that has been handed to the Commonwealth—and then you go and pay them to tell you how to do what they should have done in the first place. I know you weren't there when it all happened; I know who the players were.

**Mr Fredericks:** We can't argue that there's a certain irony in that and we, as the department, understand that. Our job has been, in the interests of the Australian government and the people, when we acquired legal title to this under the operation of the law, to do everything we could do to discharge our proper obligations. Part of that was to engage with Woodside. We understood all the history to that and the irony, as you said. But at the end of the day our obligations were to discharge the responsibilities that we now have as the legal titleholder and contract in a way with Woodside which was in proper compliance with the procurement guidelines of the Commonwealth. We are satisfied that we have done that.

...

**Senator PATRICK:** Just some questions for you. In fact, I might also ask: the official mentioned that the Commonwealth had taken possession of the vessel. Is that in a legal sense?

**Mr Fredericks:** I will take advice on that and, if I didn't get that accurate, subsequently correct it.

**Senator PATRICK:** I think that's what I heard. I'm just trying to understand what that actually means, whether we hold the licence or ownership of the vessel.

**Mr Fredericks:** The answer is yes.

To clarify, the Northern Endeavour is registered on the Australian General Shipping Register with legal title registered to Timor Sea Oil & Gas Australia Pty Ltd. The company is in liquidation and the liquidators have disclaimed the facility. As such, while the Commonwealth has assumed responsibility to operate and maintain the facility and the associated oil fields to keep the workers, the facility and the surrounding marine environment safe and secure, it does not hold legal ownership of the facility.

I apologise for any inconvenience caused and ask that you alert other members of the Committee to this correction.

Yours sincerely

David Fredericks PSM

Secretary, Department of Industry, Science, Energy and Resources

30 November 2020